

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

- - - - - X

UNITED STATES OF AMERICA :

- v. - :

LEOM KOLMNELA, :
a/k/a "Leo," :
a/k/a "Leonard Kole Mnela," and :
MERCEDES AMELIA PAEZ BROCHERO, :

Defendants. :

- - - - - X

COUNT ONE

INDICTMENT

15 CRIM 685

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: OCT 14 2015

The Grand Jury charges:

1. From in or about February 2015, up to and including on or about June 19, 2015, in the Southern District of New York and elsewhere, LEOM KOLMNELA, a/k/a "Leo," a/k/a "Leonard Kole Mnela," and MERCEDES AMELIA PAEZ BROCHERO, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the maritime drug enforcement laws of the United States.

2. It was a part and an object of the conspiracy that LEOM KOLMNELA, a/k/a "Leo," a/k/a "Leonard Kole Mnela," and MERCEDES AMELIA PAEZ BROCHERO, the defendants, and others known and unknown, would and did manufacture and distribute, and possess with the intent to manufacture and distribute, a controlled substance on board a vessel subject to the jurisdiction of the United States, in violation of Title 46, United States Code, Section 70503(a)(1).

JUDGE CARTER

3. The controlled substance that LEOM KOLMNELA, a/k/a "Leo," a/k/a "Leonard Kole Mnela," and MERCEDES AMELIA PAEZ BROCHERO, the defendants, conspired to manufacture and distribute, and possess with the intent to manufacture and distribute, was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 46, United States Code, Section 70506 and Title 21, United States Code, Section 960(b)(1)(B).

(Title 46, United States Code, Section 70506(b).)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense charged in Count One of this Indictment, LEOM KOLMNELA, a/k/a "Leo," a/k/a "Leonard Kole Mnela," and MERCEDES AMELIA PAEZ BROCHERO, the defendants, shall forfeit to the United States, pursuant to Title 46, United States Code, Section 70507(a), and Title 28, United States Code, Section 2461:

a. All controlled substances which have been manufactured, distributed, or acquired in connection with the offense charged in Count One of this Indictment.

b. All raw materials, products, and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance or listed chemical in connection with the offense charged in Count One of this Indictment.

c. All listed chemicals, all drug manufacturing equipment, all tableting machines, all encapsulating machines, and all gelatin capsules, which have been imported, exported, manufactured, possessed, distributed, dispensed, acquired, or intended to be distributed, dispensed, acquired, imported, or exported, in connection with the offense charged in Count One of this Indictment.

d. All property which is used, or intended for use, as a container for property described in paragraphs (a) through (c) of this forfeiture allegation.

e. All conveyances, including aircraft, vehicles, or vessels, which are used, or are intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of property described in paragraphs (a) through (c) of this forfeiture allegation.

f. All books, records, and research, including formulas, microfilm, tapes, and data which are used, or intended for use, in connection with the offense charged Count One of this Indictment.

g. All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in connection with the offense charged in Count One of this Indictment, all proceeds traceable to such an exchange, and

all moneys, negotiable instruments, and securities used or intended to be used to facilitate the offense charged in Count One of this Indictment.

h. All real property, including any right, title, and interest (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements, which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offenses charged in Count One of this Indictment.

i. Any drug paraphernalia.

j. Any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of property described in paragraphs (a) and (b) of this forfeiture allegation and any proceeds traceable to such property.

5. This property shall include, but not be limited to, the following:

a. all right, title and interest of the defendants in all that lot or parcel of land, together with its buildings, appurtances, improvements, fixtures, attachments and easements, located at 16 Robbins Road, Middletown, New York, 10940-7431;

b. all right, title and interest of the defendants in all that lot or parcel of land, together with its buildings, appurtances, improvements, fixtures, attachments and

easements, located at 8513 SW 169th Terrace, Palmetto Bay, Florida,
33157-4648;

c. all right, title and interest of the
defendants in all that lot or parcel of land, together with its
buildings, appurtenances, improvements, fixtures, attachments and
easements, located at 915 West 72nd Street, Hialeah, Florida,
33014-5225;

d. all right, title and interest of the
defendants in all that lot or parcel of land, together with its
buildings, appurtenances, improvements, fixtures, attachments and
easements, located at 1410 SE 24th Ct, 371, Homestead, Florida,
33035-2544;

e. all right, title and interest of the
defendants in all that lot or parcel of land, together with its
buildings, appurtenances, improvements, fixtures, attachments and
easements, located at 10303 NW 76th Terrace, Ocala, Florida,
34482-1230;

f. all right, title and interest of the
defendants in all that lot or parcel of land, together with its
buildings, appurtenances, improvements, fixtures, attachments and
easements, located at 4703 N San Andros, West Palm Beach, Florida,
33411-5575;

g. all right, title and interest of the
defendants in all that lot or parcel of land, together with its

buildings, appurtenances, improvements, fixtures, attachments and easements, located at 606 Maplewood Drive, Greenacres, Florida, 33415-1466; and

h. all right, title and interest of the defendants in all that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 15205 NE 6th Avenue, D311, Miami, Florida, 33162-5062.


Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of LEOM KOLMNELA, a/k/a "Leo," a/k/a "Leonard Kole Mnela," and MERCEDES AMELIA PAEZ BROCHERO, the defendants:

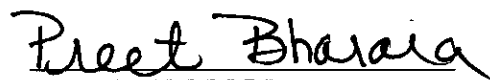
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Sections 853(p) and 970, to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 46, United States Code, Section 70507(a);
Title 21, United States Code, Sections 853; Title 28, United States
Code, Section 2461.)



FOREPERSON



PREET BHARARA
United States Attorney

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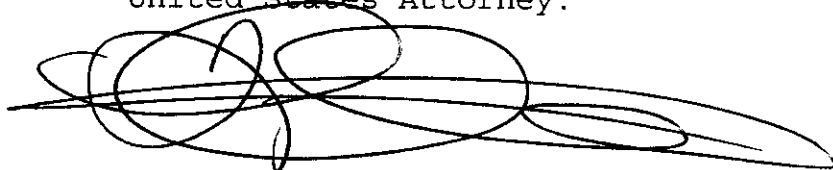
Defendants.

TRUE BILL

15 Cr.

(Title 46, United States Code, Section 70506(b); Title 46, United States Code, Section 70507(a); Title 21, United States Code, Section 853; Title 28, United States Code, Section 2461.)

PREET BHARARA
United States Attorney.



10/14/15.
aa Filed. Indictment
Case assigned to J. Carter
J. Fox
USMA